

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK

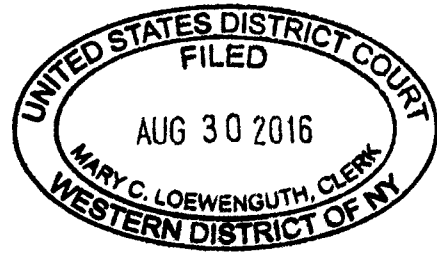
UNITED STATES OF AMERICA

v.

10-CR-191-A

TYRONE PENNICK,

Defendant.




NOTICE OF APPEAL

The United States of America hereby appeals to the United States Court of Appeals for the Second Circuit from the Decision and Order of the United States District Court (Hon. Richard J. Arcara) entered in this action on August 2, 2016 (Docket Item No. 961). This appeal concerns the District Court's Order dismissing Counts 1 and 2 of the Second Superseding Indictment.

DATED: Buffalo, New York, August 30, 2016.

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BY:


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Defendant.

CERTIFICATE OF SERVICE

I hereby certify that on August 30, 2016, I mailed by the United States Postal Service the **NOTICE OF APPEAL** with the Clerk of the District Court using its CM/ECF system, which would then electronically notify the following CM/ECF participant on this case:

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